Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Telecommunications Relay Services	)	
And Speech-to-Speech Services for	)	CC Docket No. 98-67
Individuals with Hearing and Speech	)	
Disabilities	)	

COMMENTS OF SBC COMMUNICATIONS INC.

SBC Communications Inc ("SBC") hereby offers the following comments in response to the Notice of Proposed Rulemaking ("Notice") issued in the above-referenced docket.[1]

I. INTRODUCTION AND SUMMARY

SBC applauds the Commission's efforts to examine additional ways to provide persons with disabilities access to the same or functionally equivalent telecommunications services currently available to the non-disabled community. SBC, however, urges the Commission to carefully consider whether some of the proposed additional requirements are warranted, with particular attention given to the demand for such services, the costs involved in implementing certain of the proposals and the technological limitations of many Telecommunications Relay Service (TRS) providers.

Numerous issues need to be resolved before the FCC should require TRS providers to transmit Phase I or Phase II E911 wireless data to the appropriate Public Safety Answering Points (PSAP). First, the wireless industry must be capable of transmitting this data to TRS facilities and TRS facilities in turn must have the ability to receive the data and then transmit the data to the appropriate PSAP. SBC's TRS facilities[2] currently are not capable of routing wireless

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[1] *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Second Report and Order, Order on Reconsideration, and Notice of Proposed Rulemaking, CC Docket No. 98-67 (rel. June 17, 2003) (*Notice).*

[2] Currently, SBC provides TRS in 3 states. Specifically, SBC has one facility located in Lawrence, Kansas (which serves the TRS community in Kansas as well as Arkansas) and facilities located in Dearborn and Birmingham, Michigan (which serves the TRS community in Michigan).

711 emergency calls with either Phase I or Phase II E911 wireless information to the appropriate PSAP. Should the FCC require wireless carriers to transmit Phase I or Phase II information, TRS facilities incapable of receiving such information should be exempt from this requirement. Likewise, to the extent a TRS facility is incapable of transmitting Phase I or Phase II E911 data to the appropriate PSAP, the FCC should exempt that TRS provider from such a requirement. Further, given the extremely low volume of emergency wireless 711 calls SBC has received, the Commission should consider whether implementation of such a requirement is even warranted.

SBC opposes a specified call set-up time for TRS calls. Such a "one-size fits all" approach is unworkable in the TRS context, where call set-up times could vary significantly depending on the disability of the customer and the services requested. To the extent a particular TRS provider unreasonably delays the set-up of a call, the consumer can avail itself of the Section 208 complaint process.

SBC also opposes a requirement that *all* interstate TRS providers apply for federal certification prior to receiving reimbursement from the Interstate TRS Fund. To the extent a TRS provider currently qualifies for such reimbursement pursuant to Section 64.604(F)[3] of the Commission's rules, it should be exempt from any additional requirements.

II. The Commission Should Not Require TRS Providers To Pass Phase I Or Phase II E911 Wireless Data To The Appropriate PSAP, But If It Imposes Such A Requirement, Certain Exemptions Should Apply.

In the *Notice*, the Commission seeks comment on how TRS facilities currently route emergency 711 calls, what it would entail for TRS facilities to route a wireless TRS call to the appropriate PSAP, and whether TRS facilities should be required to forward Phase I or Phase II E911 location information[4] to the appropriate PSAP in addition to routing the call. SBC, below, responds to these issues in turn.

[3] 47 C.F.R. sec. 64.604(F).

[4] Phase I data includes the wireless telephone number and location of the tower that transmits the call whereas Phase II data includes location information within 50-300 meters.

SBC has received very few wireless 711 emergency calls. Indeed in some of its TRS centers, SBC is unaware of receiving any wireless 711 emergency calls. In instances where SBC has received an 711 emergency call, SBC asked the customer to provide its city location and then attempted to connect the customer to the appropriate PSAP in that city. Given the low volume of wireless 711 emergency calls, SBC urges the Commission to carefully consider whether additional regulations are warranted here.

Importantly, wireless 711 emergency calls are not routed in the same manner as wireless 911 emergency calls. In the latter scenario, when the caller dials 911, the call is transmitted through a SBC 911 Selective Router system, which is specifically designed to route wireless 911 calls to the appropriate PSAP. In the 711 context, the call bypasses the 911 Selective Router and instead is received by a SBC TRS Center. The TRS representative attempts to ascertain the caller's city location, performs a manual look-up of the appropriate PSAP for that city location (which may or may not be the same PSAP to which a wireless 911 call would be routed), and then reinitiates the call to that PSAP.

TRS providers such as SBC cannot ensure that wireless 711 emergency calls are routed to the same PSAP that would receive the call had the caller made a wireless 911 call directly, absent a mechanized process similar to the 911 Selective Router. Until such a mechanized process is developed and ubiquitous in the industry, the Commission should not require TRS providers to route emergency wireless 711 calls to the PSAP that would handle the call if 911 were dialed instead.

Similarly, TRS providers should not be required to forward Phase I or Phase II E911 wireless data to the appropriate PSAP. Many TRS providers today are incapable of receiving Phase I or Phase II E911 data from wireless carriers. This certainly is the case for two SBC TRS Centers, which currently cannot receive any Phase II E911 data and can only receive the ten-digit cellular phone number of the caller *or* the ten-digit tower cell site number, not both. But, even where SBC can receive E911 Phase I (or some portion thereof) or Phase II data, SBC lacks

the technical capability to then route the wireless 711 emergency call along with the data to the appropriate PSAP.

The routing of a wireless 711 call to the appropriate PSAP involves two calls. The first is the call originated by the caller to the TRS Center. The second is the call initiated by the TRS Center representative to the appropriate PSAP. From a technical perspective, when a caller makes a 711 wireless call, the wireless provider translates the 711 number into SBC's wireless specific non-published toll free number and transmits the call, with this number, to SBC's TRS center. SBC's TRS representatives recognize this call as a wireless call based upon that toll-free number. If the wireless carrier can also provide E911 Phase I or Phase II data, at least one of SBC's TRS facilities can receive this information. SBC, however, does not have the capability to then route the 711 wireless call along with the Phase I or Phase II E911 data received to the appropriate PSAP. Rather, when the representative initiates the second call, only the number associated with the TRS facility is transmitted to the PSAP.

Theoretically, SBC TRS centers that receive Phase I or Phase II E911 location data with a 711 wireless call could reinitiate the call as a 911 call over the public switched network to the 911 Selective Router that serves the cell site where the 711 wireless call originated. This however would require a significant upgrade to SBC's teletype switches in order to transit the E911 Phase I/II data, as well as additional network and software enhancements to SBC's underlying network infrastructure**.**

Given existing technical and operational limitations, as well as the limited number of 711 emergency wireless calls received by SBC, SBC believes that the public benefits associated with requiring TRS providers to route emergency wireless 711 calls with Phase I or Phase II E911 data are outweighed by the costs of implementing such a requirement. Nevertheless, should the Commission conclude otherwise, SBC urges the Commission to adopt at least two exemptions. First, the Commission should exempt TRS facilities that do not have the technical capability to receive Phase I or Phase II location data. Second, the Commission should exempt TRS facilities

that lack the technical ability to transmit Phase I or Phase II E911 data to the appropriate PSAP, whether directly or via a 911 Selective Router.

III. The FCC Should Not Specify A Call Set-up Time For TRS Calls.

SBC opposes any requirement that TRS providers complete the call set-up for TRS calls within a specific period of time. In SBC's experience, call set-up times vary significantly depending on the type of TRS call and the physical disability of the caller. A hearing-impaired customer requesting call set-up for a VCO TRS call, for example, may, in some instances, take longer than the set-up time for a call from a speech-impaired customer seeking to make a HCO TRS call, and vice versa. When TRS consumers contact a TRS relay center, certain information must be obtained in order to set-up the call, and the ease of communication between the Communications Assistant (CA) and caller will impact the length of the call set-up.

Likewise, the frequency of the type of TRS call received by a TRS facility could impact the length of the call set-up. For example, SBC's TRS centers rarely receive calls requesting Two-Line VCO or TTY to VCO calls. As such, CAs are less familiar with the procedures for setting up these calls and often have to refer to reference manuals, which may delay the expediency of the call set-up.

Adoption of a specific call-set-up time is not workable with respect to TRS calls. Such a one-size-fits-all approach ignores the foregoing realities and would subject TRS providers to potential liability in instances where greater expediency is simply not possible and could lead to a poor customer service experience if an artificial set-up requirement causes the CA to hastily rush through its set-up procedures. Importantly, once a TRS caller has established a profile with SBC, TRS calls placed by that customer are handled quickly and efficiently. Moreover, to the extent a TRS provider unreasonably delays the call set-up time for a TRS call, the consumer can always avail itself of the Section 208 complaint process.

IV. The Commission Should Not Require All TRS Providers To Apply For Federal Certification To Receive Reimbursement From The Interstate TRS Fund.

Under Section 64.604(F) of the Commission's existing rules, a TRS provider is eligible to seek reimbursement from the Interstate TRS Fund if it satisfies any of the following requirements: (1) the TRS facilities are operated under contract with and/or by certified state TRS programs pursuant to Section 64.605; (2) the TRS facilities are owned by or operated under contract with a common carrier providing interstate services pursuant to Section 64.604; or (3) it is an interstate common carrier offering TRS pursuant to Section 64.604.[5] In the *Notice*, the Commission seeks comment on whether it should amend the foregoing rule to require *all* interstate TRS providers seeking reimbursement from the Interstate TRS Fund to first receive federal certification from the Commission.

SBC strongly opposes such a requirement for TRS providers, such as SBC, that currently qualify for reimbursement from the Interstate TRS Fund under the Commission's existing eligibility criteria. As the *Notice* details, the problem here is that a limited group of TRS providers that provide interstate TRS are ineligible to receive federal reimbursement under the Commission's rules. However, instead of subjecting *all* TRS providers to federal certification requirements, the Commission should tailor any additional regulations to the problem at hand.

Section 64.604(F) could be broadened to enable the group of excluded TRS providers to qualify for federal reimbursement, while leaving the existing eligibility criteria intact. To the extent the Commission determines that a federal certification process is necessary for these carriers, SBC is not opposed to such action. However, TRS providers that qualify under the existing rules should not be subject to any additional requirements. There is no evidence to suggest that TRS providers satisfying the Commission's existing eligibility criteria were not entitled to federal reimbursement or somehow abused the reimbursement process. To impose the proposed federal certification or other requirements on TRS providers that already qualify for

[5] 47 C.F.R. sec. 64.604(F).

federal reimbursement is wholly unnecessary and would prove duplicative, inefficient, wasteful, and ultimately burdensome for these providers.

V. CONCLUSION

The Commission should carefully evaluate the necessity of the requirements proposed in the *Notice*. Further, as discussed herein, the Commission should not (1) require TRS providers to route wireless 711 emergency calls, with E911 Phase I or Phase II data, to the appropriate PSAP; (2) adopt a specific call set-up time for TRS calls; or (3) require TRS providers eligible for reimbursement from the Interstate TRS Fund to comply with other certification requirements.

Respectfully Submitted,

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